IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
CIVIL APPLICATION NO.3658 OF 2007
IN
FIRST APPEAL NO.456 OF 2002

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

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Mr.A.M.Joshi for the Applicant
Mr.T.D.Deshmukh for the Respondent.

CORAM: A.S.OKA, J.
DATE : NOVEMBER 27,2007.

P.C.:

1. Heard Advocates for the parties. The contention of the applicant is that on 22nd December 1995, the maximum court fee prescribed by the Bombay Court Fees Act,1959 was Rs.75,000/- and was not Rs.15,000/- as paid by the Respondent.

2. It is not in dispute that when the original suit was filed, the maximum court fee payable under the statute was Rs.15,000/-. In view of the settled position of law, the court fee payable in the Appeal will be the court fee payable on the date of institution of the suit.

3. Hence, it cannot be said that appropriate court fee is not paid in the Appeal. Hence, there is no merit in the application and the same is rejected.

JUDGE